

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

In re: Taynia Prosser, Debtor NewRez LLC d/b/a Shellpoint Mortgage Servicing Movant v. Taynia Prosser Debtor/Respondent William C. Miller, III, Esquire Trustee/Respondent	Bankruptcy No. 2:20-bk-12680 Chapter 13 Related to Doc. No. 2
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U.S. BANK’S OBJECTION TO CONFIRMATION OF DEBTOR’S CHAPTER 13 PLAN

Secured creditor, NewRez LLC d/b/a Shellpoint Mortgage Servicing, (“NewRez”) by and through its undersigned counsel, hereby objects to the proposed Chapter 13 Plan of Debtor, Taynia Prosser, and in support thereof alleges as follows:

1. Debtor, Taynia Prosser (“Debtor”), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on June 18, 2020.
2. NewRez holds a security interest in the Debtor’s real property located at 4901 N. Lawrence ST., Philadelphia, PA 19120 (the “Property”), by virtue of a Mortgage recorded with the Dauphin County Recorder of Deeds on June 25, 2009 instrument number 52081942.
3. Said Mortgage secures a Note in the amount of \$56,216.00.
4. On July 10, 2020, NewRez filed its Proof of Claim as a secured creditor in

the total amount of \$47,203.98. A true and correct copy of the Proof of Claim (with all supporting documents) is attached hereto as Exhibit "A."

5. The Proof of Claim further sets forth and itemizes a pre-petition arrearage of \$2,673.17.

See Exhibit "A."

6. On June 18, 2020, Debtor filed a Chapter 13 Plan (the "Plan"). A true and correct copy of the Plan is attached hereto as Exhibit "B."

7. The Plan fails to account for the full pre-petition arrearage of \$2,673.17 as it fails to state a total sum of \$2,673.17, that will be paid to Secured Creditor through the Plan. See Exhibit "B."

8. Thus, the Plan is understated as it does not accurately reflect the amount of the pre-petition arrearage which will be paid through the Chapter 13 Trustee's Office.

9. Accordingly, pursuant to 11 U.S.C.A. § 1325(a)(5) NewRez hereby objects to Debtor's proposed Plan due to the fact that the value of the property to be distributed thereunder will be less than the allowed amount under the claim. See 11 U.S.C.A. § 1325(a)(5)(B)(ii).

WHEREFORE, Movant, NewRez LLC d/b/a Shellpoint Mortgage Servicing, respectfully requests that this Court not confirm the Chapter 13 Plan of Debtor, Taynia Prosser.

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By: /s/Charles Wohlrab
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Email: CWohlrab@rascrane.com

Date: July 20, 2020

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Taynia Prosser, Debtor NewRez LLC d/b/a Shellpoint Mortgage Servicing Movant v. Taynia Prosser Debtor/Respondent William C. Miller, III, Esquire Trustee/Respondent	Bankruptcy No. 2:20-bk-12680 Chapter 13 Related to Doc. No. 2
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 20, 2020, I caused to be electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

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WILLIAM C. MILLER, Esq.
Chapter 13 Trustee
P.O. Box 1229
Philadelphia, PA 19105

United States Trustee
Office of the U.S. Trustee
200 Chestnut Street
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